

## CABINET DISCUSSES THE PRINCE'S VISIT.

President Roosevelt and His Advisers Confer as to Plans to Entertain the German Emperor's Brother.

## NO CHANGE IN PROGRAMME ANNOUNCED

Cablegram from Berlin as to the Date for the Launching of the Kaiser's Yacht Said to be Wholly Incorrect—The Event to Take Place February 25.

President Roosevelt is giving close attention to the details of the arrangements for the reception and entertainment of Prince Henry on the occasion of his approaching visit. The advent of the royal visitor occupied a great share of the attention of the Cabinet at the session held today. No changes in the plan formulated by Secretary Hay were announced.

Admiral Evans at White House.

Rear Admiral Robley D. Evans, who will command the squadron which will escort into port at New York the steamship Kron Prinz with Prince Henry and his suite aboard on February 25, was at the White House last night in conference with the President relative to the programme for Prince Henry's reception.

Date of Launching February 25.

Berlin despatches in the morning papers attempting to give an authentic programme of Prince Henry's movements in this country are erroneous. It is thought at the State Department here that the Berlin correspondent obtained a copy of the itinerary first cabled by Ambassador

von Holleben to his Government as a suggestion. That gave the date of the launching as February 24 and was sent before consulting the builders and the tide tables.

February 25 is now regarded as an unavoidable date and is the one fixed point in the programme arranged by the committee.

The two visits to this city are based on this fact and are therefore as equally determined.

### Custom Will Be Observed.

In accordance with time-honored custom, a visiting representative of a foreign sovereign must first call on the President of the United States. It is held to be decidedly improper and undignified for a President to leave his Capital to greet a visitor of lower rank than his own. According to the law of etiquette in the case, Prince Henry must come to Washington to see Mr. Roosevelt before the latter can properly participate in a function in New York, to which the prince is a party. Therefore, it is pretty well understood here that Prince Henry will make a trip from New York to Washington before the launching for the express purpose of seeing Mr. Roosevelt.

## METCALF DENIES GRAVE CHARGES.

Alleged Cruel Killing of Two Filipinos Basis of Opposition to His Confirmation as Kansas Pension Agent.

### PRIVATE HEISLER'S VERSION.

Col. W. S. Metcalf, whose nomination to be pension agent for the Kansas district is held up in the Senate on charges that he killed a Filipino while the latter was on his knees begging for mercy, was heard in his own behalf this morning by a subcommittee of the Senate Committee on Pensions, of which Senator Simon is chairman.

He entered a positive denial of all knowledge of the killing with which he is charged and said that the statements against him have emanated from political opponents and from persons who, as fellow-members of the twentieth Kansas infantry, were jealous of his rise in that regiment.

Colonel Metcalf's Statement.

"Two insurgents did crawl out of the trenches," Colonel Metcalf said, "and I ordered them taken to the rear. I had passed over when they crawled up from among the dead in the trench. The instant I saw they were not dead I halted a soldier and told him to take them to the rear."

The insurgents then appealed to me and I again gave directions and then went to the front. I then called soldiers who were near to rise to come up to the line. The two men were killed, but I was at least two rods from where the killing occurred. I knew nothing about it."

Private Heisler's Testimony.

Fred D. Heisler, formerly a private in that regiment, now employed in the Government Printing Office, was the next witness and testified in Colonel Metcalf's behalf, showing that the incident which gave rise to the report occurred during the capture of the trenches, and without his knowledge. His testimony was, however, hearsay.

How They Got Rid of Them.

The two Americans being left alone, their regiment having gone ahead, finally killed their prisoners to be rid of them, and then caught up with their comrades.

Colonel Metcalf was not present on this occasion, nor did he have anything to do with the incident.

Mr. Heisler thought it was this affair that was responsible for the charges against Metcalf.

### One Affidavit Filed.

An affidavit against Metcalf was filed, reading as follows:

"This is to certify that I, Willis L. Moore, of Alleville, Kan., was formerly a member of Company E, Twentieth Kansas, and that on February 10, 1899, I was detailed to act as an orderly to Major Metcalf when the insurgents retreated before Caloscan; that after the main body of the insurgents retreated two of them remained in the trenches, threw down their arms, surrendered, and apparently begged for mercy."

"When they drew near to Major Metcalf he turned to me and asked me if my gun was loaded. I answered that it was not. He ordered me to load my gun and shoot the prisoners. I refused to do it. One of the

prisoners threw himself upon his knees before Major Metcalf and threw his arms around Metcalf's legs and appealed for his life, when Major Metcalf drew his revolver and shot and killed the prisoner. "I stood about ten feet from Major Metcalf when he fired the shot."

### Admittance on the Way.

A despatch from Iola, Kan., says that several Iola ex-members of the Twentieth Kansas Regiment have sent to Washington affidavits bearing on the charge against Colonel Metcalf. They assert that he shot or was a witness to the shooting of the two Filipino prisoners.

According to the affidavits the regiment captured a trench at Caloscan, killing seventeen of its defenders. The two survivors surrendered. Major Metcalf came up and ordered that the prisoners be turned over to Private Lewis Coffell.

"Private Coffell will take the prisoners to the rear," ordered Major Metcalf.

There Was No Rear.

N. H. Ball, an officer in the regiment, came up. Ball said there was not any rear. As fast as the line advanced the insurgents would close in behind the regiment. This was reported to Major Metcalf.

"You know your orders," Metcalf is said to have replied, and started for the front. At once one of the group whipped out a gun and shot one prisoner.

"Too bad," said one of the group to the prisoner left. "I will see that you are not separated from your 'buddy,'" with which he deliberately shot the other man.

Colonel Metcalf did not see and probably did not hear the shooting.

## GEN. ARPONA IN COMMAND NOW.

Steps Into Vacancy Caused by the Death of Gen. Alban, and is Preparing to Defend Panama.

NEW YORK, Jan. 21.—The following cable despatch, dated yesterday, received from Panama this morning by General Prigard, the Colombian Consul at this port:

"General Alban attacked rebel fleet to-day and perished on board steamship Lautaro. Have taken over command and am preparing to defend the city with 1,000 men."

The despatch is signed by Arpona, who was General Alban's secretary. It is presumed by the Colombian Consul that Arpona has taken command of the troops under General Castro. Alban's second in command, appears on the scene.

The charge d'affaires at the Colombian Legation, in speaking of the situation in Colombia, said this morning that he had received no information from the home Government beside that which had appeared in the papers.

He declared that before long there would be sufficient recruits to the Government side to completely crush the revolution.

"That the Government is well prepared for the attacks of the revolutionists," is shown by the fact that the Government troops successfully defended their position against the revolutionists," added the charge.

### SOCIETY MAN FOUND DEAD.

Norfolk Is Aroused by Another Strange Tragedy.

NORFOLK, Va., Jan. 21.—John L. Pierce, cashier of the Standard Oil Company at Norfolk, was found dead in a rowboat at the company's pier this morning. His neck was broken.



Madame, You Needn't Look Further, Here's Your Little Mose.

## CANNOT ISSUE POLICE WARRANTS

City Solicitor Duvall Declares the Code Has Abridged the Powers of the Justices of the Peace.

### TO AMEND THE SECTION.

The City Solicitor, Mr. Andrew B. Duvall, has submitted to the Commissioners an opinion upon the duties of the Justices of the Peace as defined by the new code. The matter was brought to the attention of the Commissioners by a communication from Captain Gessford of the Police Department.

Two Questions Involved.

As defined by the Solicitor the questions involved are:

- (1) Whether the Justices of the Peace may issue warrants for the arrest of a party returnable to the Police Court.
- (2) Whether the code of law for the District of Columbia abridges the authority of the Superintendent of Police to issue warrants under section 402, R. S. D. C.

Mr. Duvall says that prior to January 1, 1902, when the code went into operation, any justice of the Peace was authorized by section 399, R. S. D. C., to issue warrants returnable to the Police Court against persons accused of crimes and offenses committed in the District of Columbia.

No Authority in Code.

He states further that no such authority was vested in the Justices of the Peace by any provision of the code.

The Solicitor calls attention to section 911 of the code, which authorizes a Justice of the Peace to issue a search warrant to the marshal or any officer of the Police Department under the circumstances and conditions enumerated therein.

Limited by Section 911.

Except as provided in section 911, Mr. Duvall is of the opinion that Justices of the Peace are without authority to issue warrants for the arrest of persons accused of crime.

He considers the omission from the code of such an authority to be one that should be remedied in the interest of justice, and he states that he will forward the draft of an amendment to the code on the subject.

Mr. Duvall says that the authority of the Major and Superintendent of Police is not abridged by the code.

Major's Powers Unchanged.

The Major and Superintendent of Police, he says, is a subordinate or employee of the Commissioners of the District of Columbia, and all acts and parts of acts relating to his powers and duties remain, therefore, unaffected by the code.

Mr. Duvall states, furthermore, that section 911 of the code of laws for the District of Columbia is not inconsistent with section 402, R. S. D. C.; the subject-matter of the two sections are entirely different.

Mr. Duvall is of the opinion that section 402, R. S. D. C., is in full force and effect, and that the power and authority of the Superintendent of Police thereunder is in no wise abridged by any provision in the code of laws for the District of Columbia.

## ELECTION OF SENATORS BY DIRECT VOTE OF THE PEOPLE.

The Subject Considered in Committees of Both Houses of Congress for the First Time This Afternoon.

The House Committee on the Election of President and Vice President today agreed to favorably report a joint resolution, containing an amendment to the Constitution providing for the election of United States Senators by direct vote of the people. Several joint resolutions of this character have been introduced in the House this session.

Chairman Corliss stated today that the proposition had the approval of the Legislatures of thirty-two different States, whose resolutions were before the committee.

Before the Senate Committee.

The Senate Committee on Privileges and Elections held its first meeting at noon today, and this body also took up the subject of the election of Senators by popular vote.

Six States, through their Legislatures, have formally asked Congress to summon a constitutional convention to take up the subject of popular election of Senators. If thirty States make this request Congress has nothing to do but to call the convention.

Matter Informally Discussed.

The matter was taken up informally before the committee today. Some interesting discussion ensued. Several members of the committee expressed the opinion that thirty States must request the convention in a single Congress, but the majority appeared to think it was only necessary for thirty States in the aggregate to make the request, regardless of whether it was made in the existing Congress or in the preceding ones.

Favorable to the Change.

The committee for the first time has a majority in favor of popular election of Senators. The Chairman, Senator Burrows, has long been an earnest advocate of the change, and the Legislature of his State is one of those which has asked Congress to call the constitutional convention.

Speculation as to Action.

Speculation on President Roosevelt's action upon Admiral Schley's appeal has a free hand today. The fact is that the President can do almost anything he pleases. As Commander-in-Chief of the Army and the President Roosevelt may approve of the majority report of the court as endorsed by Secretary Long; he may differ with their findings, and, as expressing himself, abruptly close the case, allowing the report of the court to stand upon Navy Department records, but with his comment accompanying it, or he may disapprove of the verdict and order the court to amend its report in accordance with his views.

May Consult with the Cabinet.

It is the general opinion here, however, that the President will do nothing without first consulting the Cabinet. The personality of the master of the White House makes forecasts of his probable action difficult, but on a question of such importance it is believed that he will at least obtain the opinion of his official family before taking the final step.

The Maryland delegation in Congress has, from the first, been opposed to the appeal. They have considered it a hopeless undertaking and one calculated to further humiliate the idol of their State. It has moreover hampered them in their efforts to secure legislation for Admiral Schley at the Capitol. They are obliged to await the result of the appeal and, thus, in their opinion, have lost valuable time.

MAY ASK AN ADVANCE.

Miners to Demand, Possibly, Shorter Hours With Present Pay.

INDIANAPOLIS, Ind., Jan. 21.—Delegates from the anthracite coal fields who are attending the annual convention of the United Mine Workers of America here, say the agitation in that field for an eight-hour day may come before the convention.

They are not sure that the unions there will ask a straight increase in salary. That is what they ask an eight-hour day it will be equivalent to an advance, as they would expect the same pay they now receive for ten hours.

Despite the fact that the miners in the anthracite field secured a very substantial increase in wages last year by their strike, they say they are still far from getting what they want.

The increase last year was from 10 to 25 per cent, and the men say they can now earn from \$2.50 to \$4 per day, according to local conditions.

SEVEN MEN BURNED ALIVE.

Fatal Tragedy in a West Virginia Lumber Camp.

HAMBLETON, W. Va., Jan. 21.—A frightful holocaust occurred at Camp No. 5, operated by the Otter Creek Lumber Company, at 1 o'clock this morning.

The details of the disaster are not yet obtainable, but it is known that seven men were burned to death and that a number were injured by jumping from the building in which they were sleeping.

The camp is thirteen miles off the West Virginia Central Railroad.

A rescue party left here this morning, and expected to return tonight.

The fire started in the cook room.

Deficiency in Shooting Gallery Fund.

The Secretary of War transmitted to the House of Representatives today an estimate of \$100,000 deficiency in the appropriation for shooting galleries and ranges for the fiscal year ending January 30, 1902. The Secretary's letter was referred to the Committee on Appropriations.

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Cost of Boer War to England.

LONDON, Jan. 21.—In the House of Commons today Sir Michael Hicks-Beach, Chancellor of the Exchequer, stated that between April 1 and December 31, 1901, the South African war had cost Great Britain £16,300,000.

Youth Reported Missing.

Daniel Beach, aged seventeen, left his home about 2 o'clock Sunday, January 19, and has not since been seen. He wore a dark suit, brown overcoat, and cap. Any information of his whereabouts should be sent to Police Headquarters.

Irish Poet Dead.

Aubrey Thomas de Vere Passes Away in County Limerick.

DUBLIN, Jan. 21.—Aubrey Thomas de Vere, the poet, died at Curragh Chase, County Limerick, today.

Aubrey Thomas de Vere, the son of the late Sir Aubrey de Vere, was born in 1814. He was the author of many Irish poems and legends, picturesque sketches, and literary and critical essays. His first poetry appeared in 1832 and his "Recollections" in 1857.

## SCHLEY CASE GOES TO THE PRESIDENT.

The Admiral and His Counsel Arrive in the City and Hold a Consultation Over the Appeal.

DOCUMENT SENT TO THE WHITE HOUSE THIS AFTERNOON.

Admiral Schley's appeal was presented to President Roosevelt this afternoon. It contains, including excerpts from the testimony, about 35,000 words. The argument itself is about 8,000 words in length.

It embodies all the points made in the original protest to Secretary Long, and many others in addition.

The appeal was taken to the White House by Mr. M. A. Teague, of Admiral Schley's counsel.

Admiral's Return From the South.

Admiral and Mrs. Schley reached Washington at 8:30 o'clock this morning from Savannah, where they have been for a couple of weeks. They report having had a most enjoyable sojourn in the South, and the Admiral is highly elated over the hunting jaunts he was enabled to take while away.

Conference Over the Appeal.

As soon as they reached the city Admiral and Mrs. Schley took a carriage and went to the Hotel Richmond, where they were joined a few hours later by Mr. Rayner and Mr. Teague, another member of the Admiral's counsel. Messrs. Rayner and Teague had with them the appeal to be submitted to the President in behalf of Admiral Schley, and the document was carefully gone over in the rooms of the Admiral by himself and his lawyers. The changes made were few and slight.

Admiral Schley in Fine Health.

Admiral Schley is in splendid health. He has a ruddy glow in his cheeks produced by the outdoor exercise. When asked if he had brought back any of the deer he is said to have shot out of season in Georgia, the Admiral smiled and shook his head.

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